

REMARKS

Claims 1-17 are pending in this application with claims 1,2, 6-8 and 13-17 being amended and claims 9 and 10 being cancelled by this response.

Rejection of Claims 1-5 and 15 under 35 USC § 102(e)

Claims 1-5 and 15 are rejected under 35 U.S.C. 102(e) as being anticipated by Schoenberg et al. (U.S. Patent No. 6,322,502).

The present claimed invention recites a network compatible configurable user interface system for displaying sequentially generated patient medical parameters and data together with a time indication, for use in identifying a parameter value trend. The system includes a display menu generator for generating a single customization menu enabling user selection of parameters for display in a first graphical format and in a second tabular format. The customization menu includes a menu containing a set of medical parameter labels representing a corresponding plurality of available medical parameters and parameter selection icons enabling user selection of medical parameter labels from the menu. A user is able to select medical parameter labels for display in graphical format exclusively of selection of parameter labels for display in tabular format. A display generator displays the selected parameters in graphical and tabular format in response to a user command. Independent claims 1, 8 and 15 each disclose features as discussed above and thus all arguments made concerning such features apply to each of these claims.

Schoenberg discloses a medical information system. The system collects data from various sources and displays the information. The information is divided into subsets of data, each subset is associated with a user job function or user department. Schoenberg neither discloses nor suggests "a customization menu enabling user selection of parameters for display in a first graphical format and in a second tabular format" as in the present claimed invention. Schoenberg also neither discloses nor suggests "a menu containing a set of medical parameter labels representing a

Application No. 09/990,972 Attorney Docket No. 2000P09061US01
corresponding plurality of available medical parameters” as in the present claimed invention. Furthermore, Schoenberg neither discloses nor suggests “parameter selection icons enabling user selection of medical parameter labels from said menu” as in the present claimed invention. Furthermore, Schoenberg neither discloses nor suggests that “a user is able to select medical parameter labels for display in graphical format exclusively of selection of parameter labels for display in tabular format” as in the present claimed invention. In fact, Schoenberg discloses a direct relationship between the parameters displayed in graphical format and the parameters displayed in tabular format (see column 6, lines 42-51). In this passage, Schoenberg discloses that to customize the graphic display, a click and drag operation is performed on the tabular data set to insert the data into the graph. A click and drag operation in the opposite direction is performed to remove the data from the graphical display.

Contrary to the assertions of the Examiner, Schoenberg neither discloses nor suggests a customization menu as in the present claimed invention. In Figure 2A and the accompanying description in Column 7, lines 22-43, Schoenberg shows changing parameters displayed in the graphical display with parameters from the tabular display using a “drag and drop” function as discussed above. This is unlike the present claimed invention in which “a user is able to select medical parameter labels for display in graphical format exclusively of selection of parameter labels for display in tabular format.”

In view of the above remarks and amendments to the claims it is respectfully submitted that there is no 35 USC 112 compliant enabling disclosure in Schoenberg showing the above discussed features. It is thus further respectfully submitted that claims 1 and 15 are not anticipated by Schoenberg. As claims 2-5 are dependent on claim 1, it is respectfully submitted that these claims are also not anticipated by Schoenberg. It is thus, further respectfully submitted that this rejection is satisfied and should be withdrawn.

Rejection of Claims 6, 7, 16 and 17 under 35 USC § 103(a)

Claims 6, 7, 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schoenberg.

As discussed above in the arguments concerning the rejection of claims 1 and 15, Schoenberg neither discloses nor suggests “a customization menu enabling user selection of parameters for display in a first graphical format and in a second tabular format” as in the present claimed invention. Schoenberg also neither discloses nor suggests “a menu containing a set of medical parameter labels representing a corresponding plurality of available medical parameters” as in the present claimed invention. Furthermore, Schoenberg neither discloses nor suggests “parameter selection icons enabling user selection of medical parameter labels from said menu” as in the present claimed invention. Furthermore, Schoenberg neither discloses nor suggests that “a user is able to select medical parameter labels for display in graphical format exclusively of selection of parameter labels for display in tabular format” as in the present claimed invention. In fact, Schoenberg discloses a direct relationship between the parameters displayed in graphical format and the parameters displayed in tabular format (see column 6, lines 42-51). In this passage, Schoenberg discloses that to customize the graphic display, a click and drag operation is performed on the tabular data set to insert the data into the graph. A click and drag operation in the opposite direction is performed to remove the data from the graphical display.

Additionally, as discussed above, Schoenberg neither discloses nor suggests generation of a customization menu. Thus, it is respectfully submitted that Schoenberg does not even contemplate a customization menu including “placement selection icons for re-ordering display of selected parameters” as claimed in claims 6 and 16. It is further respectfully submitted that Schoenberg does not even contemplate a customization menu including “category selection icons for re-ordering display of the available categories of medical parameters for user selection” as claimed in claims 7 and 17 of the present invention. Unlike the present claimed invention which includes a separate customization menu and are associated with the selection window of the

Application No. 09/990,972 Attorney Docket No. 2000P09061US01
customization menu, the tabs on a menu bar of Schoenberg mentioned by the Examiner
are part of the tabular and/or graphical display.

In view of the above remarks, the amendments to claims 1 and 15 and the
dependence of claims 6, 7, 16 and 17 on claims 1 and 15, it is respectfully submitted
that claims 6, 7, 16 and 17 are not unpatentable over Schoenberg. It is thus, further
respectfully submitted that this rejection is satisfied and should be withdrawn.

Rejection of Claims 8-14 under 35 USC § 103(a)

Claims 8-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over
Schoenberg and Schwuttke et al. (U.S. Patent No. 6,322,502).

Schwuttke et al. discloses a system for monitoring and
analyzing data able to provide a three dimensional representation
of complex data, data relationships and system status. Data of
greater significance is displayed in the virtual space closer and
larger than data of lesser significance. Data is displayed in a
graphics window and in a pop up text window. This data is user
selectable. However, similarly to Schoenberg, Schwuttke et al.
neither disclose nor suggest “a customization menu enabling user
selection of parameters for display in a first graphical format and
in a second tabular format” as in the present claimed invention.
Also, similarly to Schoenberg, Schwuttke et al. neither disclose nor
suggest “a menu containing a set of medical parameter labels
representing a corresponding plurality of available medical
parameters” as in the present claimed invention. Additionally, like
Schoenberg, Schwuttke et al. neither disclose nor suggest
“parameter selection icons enabling user selection of medical
parameter labels from said menu” as in the present claimed
invention. Furthermore, similarly to Schoenberg, Schwuttke et al.
neither disclose nor suggest that “a user is able to select medical

Application No. 09/990,972 Attorney Docket No. 2000P09061US01
parameter labels for display in graphical format exclusively of
selection of parameter labels for display in tabular format” as in
the present claimed invention.

It is also respectfully submitted that there is no motivation to combine these two references as Schoenberg is directed towards providing subsets of data regarding patient medical information to respective groups of users while Schwuttke et al. are concerned with generation of a three dimensional graphical display used to show relationships between data sets. Additionally, even if there is some motivation to combine these two references, such a combination would produce a three dimensional cybergraph of medical data along with optional displays of tabular data, wherein data provided in the graphical and tabular displays being interrelated by clicking and dragging data labels between the tabular and graphical displays.

This combination still would not disclose the “customization menu enabling user selection of parameters for display in a first graphical format and in a second tabular format” including “parameter selection icons enabling user selection of medical parameter labels from said menu, wherein a user is able to select medical parameter labels for display in graphical format exclusively of selection of parameter labels for display in tabular format” as in the present claimed invention. A combination of Schoenberg and Schwuttke et al. also neither disclose or suggest that “selection of said user selected parameter labels for display in tabular format is independent of selection of user selected parameter labels for display in graphical format” as in the present claimed invention.

In view of the above remarks and amendments to the claims it is respectfully submitted that Schoenberg and Schwuttke et al., when taken alone or in combination provide no 35 USC 112 compliant enabling disclosure showing the above discussed features. It is thus further respectfully submitted that this rejection is satisfied and should be withdrawn.

Application No. 09/990,972

Attorney Docket No. 2000P09061US01

Having fully addressed the Examiner's rejections, it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's attorney at the phone number below, so that a mutually convenient date and time for a telephonic interview may be scheduled.

No fee is believed due with this response. However, if a fee is due, please charge the additional fee to Deposit Account 50-2828.

Respectfully submitted,
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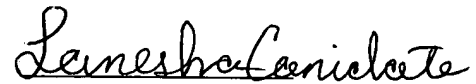
Application No. 09/990,972

Attorney Docket No. 2000P09061US01

CERTIFICATE OF MAILING

I hereby certify that this amendment is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

Date: August 30, 2004

A handwritten signature in cursive script, reading "Tanesha Canidate".

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